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Before the
Federal Communications Commission
Washington, D.C. 20554

Oct 7 5 10 PM '04

In the matter of

Investigation of Alascom, Inc.

Interstate Transport and Switching Services

Tariff FCC No. 11

CC Docket No. 95-182

ORDER EXTENDING PLEADING CYCLE

Adopted: October 1, 2004

Released: October 1, 2004

Oppositions to Direct Case Due: October 13, 2004

Replies Due: October 22, 2004

By the Deputy Chief, Pricing Policy Division:

I. INTRODUCTION

1. In September 1995, Alascom, Inc. (Alascom), a telecommunications common carrier providing interstate transport and switching services to other common carriers in Alaska and between Alaska and the continental United States, filed its first Tariff FCC No. 11.¹ The Common Carrier Bureau (now the Wireline Competition Bureau) (Bureau) suspended this tariff, imposed an accounting order, and instituted an investigation.² Similarly, all of Alascom's subsequent annual Tariff FCC No. 11 rates have been suspended and set for investigation, with accounting orders imposed.³ All of these investigations have been incorporated into the investigation of Alascom's original Tariff FCC No. 11. On July 30, 2004, the Bureau released an order designating issues for investigation in this proceeding, which, among other things, established a pleading cycle for the filing of a direct case by Alascom, oppositions to the direct case, and replies to the oppositions.⁴ On August 25, 2004, the Bureau granted in part and denied in part Alascom's motion seeking an extension of the filing deadlines in this pleading cycle, requiring Alascom to file a portion of its direct case on August 30, 2004, the remainder on September 17, 2004,

¹ See Alascom, Inc., Tariff FCC No. 11, Transmittal No. 790 (filed Sept. 22, 1995). Alascom is required to provide these services to other common carriers pursuant to tariff by the Commission's *Market Structure Order. Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the Contiguous States and Alaska, Hawaii, Puerto Rico, and the Virgin Islands*, CC Docket No. 83-1376, Memorandum Opinion and Order, 9 FCC Rcd 3023 (1994) (*Market Structure Order*).

² Alascom, Inc. Tariff FCC No. 11, Transmittal No. 790, CC Docket No. 95-182, Order, 11 FCC Rcd 3703 (Com. Car. Bur. 1995).

³ See, e.g., *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, Transmittal No. 807, CC Docket No. 95-182, Order, 11 FCC Rcd 10833 (Tariff Div. 1996); Transmittal No. 852, CC Docket No. 95-182, Order, 12 FCC Rcd 3646 (Comp. Price. Div. 1997); Transmittal No. 921, CC Docket No. 95-182, Order, 13 FCC Rcd 187 (Comp. Price. Div. 1997).

⁴ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Order Designating Issues for Investigation, DA 04-2349 (Wireline Comp. Bur. rel. July 30, 2004).

oppositions to be filed by October 5, 2004, and replies to be filed by October 15, 2004.⁵ Alascom filed its direct case consistent with this order.⁶ On September 30, 2004, General Communication, Inc. (GCI) filed a request to extend the deadlines for filing oppositions to Alascom's direct case until October 13, 2004, and replies to the oppositions until October 21, 2004.⁷ On October 1, 2004, ACS Long Distance (ACS-LD) replied to GCI's request, supporting the extension and asking that it apply to all parties filing oppositions.⁸ In this order we grant GCI's request in part, and deny it in part.

II. DISCUSSION

2. GCI states in its request that it requires additional time to prepare its opposition due to the large amount of data contained in the model Alascom uses to prepare its Tariff FCC No. 11 rates.⁹ Recognizing the public interest both in a thorough record and in completing this investigation, GCI states that it is seeking the minimum extension needed effectively to analyze this large amount of data.¹⁰ We agree with GCI's assessment that the amount of data contained in Alascom's model is large and have found that working with the model is cumbersome. This experience causes us to modify our initial assessment in the *First Extension Order* that allowing until October 5, 2004, for oppositions and until October 15, 2004, for replies would provide interested parties adequate time to analyze the data and also permit efficient completion of this investigation.¹¹ We also consider GCI's request to be reasonable and to have given adequate consideration to the public interest. Therefore, we grant GCI's request to extend the deadline for filing oppositions to Alascom's direct case until October 13, 2004. We note, however, that GCI's request to extend until October 21, 2004, the deadline for filing replies to oppositions would shorten by one business day the reply period contemplated in our *First Extension Order*.¹² Therefore, to allow parties filing replies the full amount of time originally granted, we will extend the deadline for filing replies until October 22, 2004.

III. ORDERING CLAUSES

3. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), 201-205, and 403 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 201-205, and 403, and pursuant to the authority delegated by sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, the pleading cycle established in this matter shall be modified as follows:

Oppositions to Direct Case Due: October 13, 2004

Replies Due: October 22, 2004

⁵ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Order Extending Pleading Cycle (Wireline Comp. Bur. Aug. 25, 2004).

⁶ See *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Letter from Charles R. Naftalin, Counsel for Alascom, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Aug. 30, 2004); Direct Case of Alascom, Inc. (filed Sept. 17, 2004).

⁷ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Request for Extension of Time (filed Sept. 30, 2004) (*GCI Request*).

⁸ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, ACS-LD's Reply to GCI's Request for Extension of Time (filed Oct. 1, 2004).

⁹ *GCI Request* at 2.

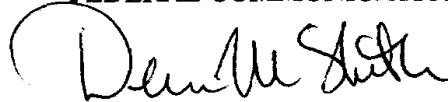
¹⁰ *Id.* at 2-3.

¹¹ *First Extension Order* at 2.

¹² *Id.*

4. IT IS FURTHER ORDERED that the request for extension of time of GENERAL COMMUNICATION, INC. is GRANTED in part and DENIED in part, as set forth herein.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Deena M. Shetler", is written over a large, faint circular stamp.

Deena M. Shetler
Deputy Chief, Pricing Policy Division
Wireline Competition Bureau